



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,325	04/03/2006	Michel Basler	20171 (441 PCT)	7134
31743 7590 01/13/2009 PATENT GROUP GA030-43 GEORGIA-PACIFIC LLC 133 PEACHTREE STREET, N.E. ATLANTA, GA 30303-1847				
EXAMINER DUCHENEAUX, FRANK D				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
01/13/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/574,325

**Applicant(s)**

BASLER ET AL.

**Examiner**

FRANK D. DUCHENEAUX

**Art Unit**

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/2/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 13-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 4/3/2006
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-12, drawn to a product, classified in class 428, subclass 172.
  - II. Claims 13-19, drawn to an apparatus, classified in class 162, subclass 281.
  - III. Claim 20, drawn to a process, classified in class 162, subclass 123.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions II and I are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a materially different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case, the product as claimed could be made with an apparatus that additionally provides an adhesive to at least one of the surfaces of at least one of the plies as opposed to mechanically attaching the plies via the embossment process.
3. Inventions III and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed could be made by a process that includes a step or steps for applying an

adhesive to at least one of the surfaces of at least one of the plies as opposed to mechanically attaching the plies via the embossment process.

4. Inventions III and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either; (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(c)). In this case the process as claimed could be accomplished using an apparatus that employs multiple cylinders, each cylinder individually engraved so as to emboss the different pattern zones separately.

5. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

- (a) the inventions have acquired a separate status in the art in view of their different classification;
- (b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;
- (c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);
- (d) the prior art applicable to one invention would not likely be applicable to another invention;
- (e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

**Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

6. During a telephone conversation with Robert Alexander on 12/29/2008 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-12.

Affirmation of this election must be made by applicant in replying to this Office action. Claims 13-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8. The examiner has required restriction between product and process claims. Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must require all the limitations of an allowable product claim for that process invention to be rejoined.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103 and 112. Until all claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained. Withdrawn process claims that are not commensurate in scope with an allowable product claim will not be rejoined. See MPEP § 821.04(b). Additionally, in order to retain the right to rejoinder in accordance with the above policy, applicant is advised that the process claims should be amended during prosecution to require the limitations of the product claims. **Failure to do so may result in a loss of the right to rejoinder.** Further, note that the prohibition against double

patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

### *Specification*

9. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

10. The abstract of the disclosure is objected to because it does not consist of a single paragraph. Correction is required. See MPEP § 608.01(b).

11. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

Art Unit: 1794

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

12. The abstract of the disclosure is objected to because the abstract should not refer to the purported merits of the invention and, as such, the last line of the abstract should be omitted.

Correction is required. See MPEP § 608.01(b).

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).



13. The disclosure is objected to because of the following informalities: 1) The specification lacks appropriate headings for its sections (see above); 2) a word seems to be missing after the word "rigid" on line 11 of page 1; 3) In the description of the drawings for figure 2, the applicants have specified a cross-section as II-II, where the drawings have labeled a cross-section as 2-2; 4) On page 12, line 6 the specification states that "...the embossing of the second ply P2 is as visible on FIGURE 5." The examiner notes that there is no embossment of P2 and further, it is not clear what is meant by this statement. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

### ***Drawings***

14. The drawings are objected to under 37 CFR 1.83(a) because they fail to show level difference,  $N_A$ , as described on page 8 of the specification and edge  $D_A$  as described on page 10 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from

the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

15. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "20" has been used within the specification in three different manners; as a third cavity, third protuberance and third projection. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

16. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

The examiner notes that the applicant(s) have used reference characters though-out the claims, but have not enclosed said characters within parenthesis on a consistent basis, e.g. second cavities in claim 2 and contour D in claim 1.

***Claim Rejections - 35 USC § 112***

17. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

18. **Claims 1-12** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

19. **Regarding claim 1**, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

20. **Regarding claims 1-2**, said claims recite the limitation "level difference  $N_A$ " on lines 8 and line 2, respectively, of said claims. It is unclear as to how the limitation provides structural

definition to the present invention. The examiner notes that it is unclear whether adding N<sub>A</sub> would make a respective cavity deeper or less deep compared to its counterpart.

21. **Regarding claims 1 and 6**, said claims recite the limitations "presenting a contour D formed by a marking line" and "aligned with contour D" on line 8 and line 2, respectively, of said claims. It is unclear as to how the limitation provides structural definition to the present invention.

22. **Regarding claim 5**, the phrases "linear shape" and "alignments of cavities" are ambiguous as it does not distinguish as to which characteristic(s) of the cavity (e.g. inner walls) are linear nor against which reference(s) the alignment is based.

23. **Regarding claim 8**, it is contradictory, and therefore ambiguous, for a cavity (an absence) to have a top.

### ***Claim Rejections - 35 USC § 102***

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

25. **Claims 1** is rejected under 35 U.S.C. 102(b) as being anticipated by Edwards et al (US Patent 6511579 B1) taken in view of Merriam-Webster's online dictionary.

**Regarding claim 1**, Edwards teaches a multi-ply tissue paper product (column 23, lines 29-32), whereby a two-ply (P<sub>1</sub> and P<sub>2</sub>) tissue is a preferred embodiment (column 27, lines

43-45) and the basis weight (grammage) for each ply (column 26, lines 35-38) is 18.6 lbs./3000 ft<sup>2</sup> (column 29, lines 35-36) or:

$$\frac{18.6/lbs.}{3000 ft^2} \times \frac{1 ft.^2}{(0.305m)^2} \times \frac{453.6g}{1lbs.} \approx \frac{30g}{m^2}$$

Edwards continues to teach (column 24, lines 51-56) a sheet that is embossed in a "mated" process such that the protrusions in the pattern are matched with indentations of similar size (a two-ply sheet or web would necessarily comprise protuberances of a first ply adjacent to the indentations of a second ply) and that an opposite side of an embossed ply would contain cavities corresponding to said protuberances (figures 21b-2-21b-3 and 21c2-c3). Edwards further teaches an emboss pattern (first zone cells with first cavities) of diamond shapes (column 25, lines 35-36 and figure 21b-1 – 21b-3) surrounded by a different emboss pattern (second zones with second cavities) (figure 21c-1, peripheral circles and figure 21c-3, inclusive of reference numbers 14, 15 and 18), whereby the emboss pattern has a greater height (relief, N<sub>A</sub>) than the different emboss pattern (figure 21c-1 and 21c-3 reference numbers 11, 12 and 18); figure 22 of Edwards teaches contoured demarcation (white area surrounding string of black dots) between the emboss pattern and the different emboss pattern. The examiner notes that a Merriam-Webster definition of relief is "the elevations or inequalities (differences, N<sub>A</sub>) of a... surface."

**Regarding claim 2-8**, Edwards teaches an emboss pattern whereby the female elements (first cavities) have a lesser depth (equal + N<sub>A</sub>) than the female elements (second cavities) of the different emboss pattern (figures 21c-1 and 21c-3, reference numbers 13 and 18, respectively). Edwards also teaches an area that does not include embossments between

the different emboss pattern (figure 22 unshaded areas) and areas which do include other embossment areas with other emboss patterns other than the emboss pattern and the different emboss pattern (figure 2, heart pattern), whereby the said other emboss patterns possess a curvilinear shape while further being aligned along their periphery with the inner periphery of the diamond shapes of the emboss pattern (figure 22, heart pattern elements). Edwards continues to teach that the said different emboss patterns are aligned with said contoured demarcation (figure 22) and said emboss patterns' cavities are tapered (figure 21c-3, reference numbers 2 and 4, for example). Edwards further teaches an additional emboss pattern (tulip of figure 22) that consist of cavities (third cavities) in the area of the emboss pattern (figure 21c-1, reference numbers 16-17) and that the top of the additional emboss pattern's cavities is flat (figures 21c-1 and 21c-3, reference number 19).

### *Claim Rejections - 35 USC § 103*

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

28. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

29. **Claims 9** is rejected under 35 U.S.C. 103(a) as being obvious over Edwards et al (US Patent 6511579 B1) in view of Graff et al (WO 03/050353). It is noted that disclosures set forth below with respect to Graff et al. are based on US 2005/0034828, which is an English equivalent of the reference.

**Regarding claim 9**, Edwards teaches a multi-ply tissue paper product as in the rejections of claims 1-5 above. Edwards fails to teach a second ply P<sub>2</sub> that is not embossed.

However, Graff teaches a multi-layer sheet of absorbent paper (title) comprising two plies mounted one on the other (para. 0030, lines 1-5), whereby the first ply is embossed (figure 2, reference 12) and the second ply is unembossed (para. 0031, line 1-2 and figure 2, reference number 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Edwards with the inventive concepts of Graff to obtain a tissue paper as in the present invention wherein

the first ply is embossed and the second ply is not embossed to provide a multi-ply tissue paper with specific mechanical properties such as tensile strength, absorptivity, softness, obviating degradation of crush resistance and aesthetic appeal.

30. **Claims 10-12** are rejected under 35 U.S.C. 103(a) as being obvious over Edwards et al (US Patent 6511579 B1) in view of Roussel et al (US Patent 6524683 B1).

**Regarding claims 10-12**, Edwards teaches a multi-ply tissue paper product as in the rejections of claims 1-8 above. Edwards fails to teach a second ply that is embossed and presents protuberances, whereby the two plies are in contact though the tops of the protuberances corresponding to the second and/or third cavities or that the plies are bonded though glue on the top of the second and/or third protuberances; or that the first protuberances are not glued.

However, Roussel teaches a sheet of embossed absorbent paper (title) - towards improved pattern resolution and emphasis of a background pattern (column 2, lines 32-34) - of two plies whereby each ply (first and second ply) comprises a first embossed zone (column 4, lines 62-63) and two or more adjacent second zones (column 5, lines 49-54) comprising protuberances/salients (corresponding to cavities) whereby the two plies are in contact with each other through the tips of their respective protuberances (figures 1-4 and claim 3). Roussel continues to teach that the salients (protuberances) coincide perfectly (column 4, lines 54-55 and figure 2)) and that the two plies can be assembled by bonding via gluing or knurling (not glued) (column 3, lines 40-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the



teachings of Edwards with the inventive concepts as taught by Roussell to obtain a tissue paper as in the present invention with specific mechanical properties such as tensile strength, absorptivity, softness and aesthetic appeal as well a means for securing together the two said plies with or without an adhesive as is dictated by industrial necessity.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANK D. DUCHENEAUX whose telephone number is (571)270-7053. The examiner can normally be reached on M-Th, 7:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie E. Shosho can be reached on (571)272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FDD

/Callie E. Shosho/  
Supervisory Patent Examiner, Art Unit 1794